

INTERGOVERNMENTAL AGREEMENT BETWEEN THE COUNTIES OF
APACHE, GILA, GRAHAM, GREENLEE AND NAVAJO, ARIZONA
TO PARTICIPATE IN, SUPPORT AND ENDORSE THE ACTIONS AND DECISIONS OF THE EASTERN
ARIZONA COUNTIES ORGANIZATION (ECO) WHICH ARE IN COMPLIANCE WITH THE ADOPTED
BYLAWS
OF THE ORGANIZATION.

Whereas, Arizona Revised Statutes 11-952 authorizes two or more public agencies to enter into agreements with one another for joint or cooperative action, and;

Whereas, the Arizona Counties of Apache, Gila, Graham, Greenlee and Navajo ("Counties") requested by joint resolution (Exhibit A) that the State of Arizona assist the Counties in developing a process to implement Presidential Executive Order 12372 (P.E.O. 12372) related to the clearinghouse process for review of Federal programs which affect the custom, cultures and economic well being of the Counties, and;

Whereas, in accordance with P.E.O. 12372, the Counties have been designated by the State as County Official Reviewers (COR) with responsibility to the residents of the Counties to provide local and areawide land use, demographic, economic and social information and expertise in the review of federal programs and projects particularly in relationship to the U.S. Department of Agriculture and the U.S. Department of the Interior land management activities, as well as programs involving State Land, and;

Whereas, a primary function of ECO is to efficiently and effectively implement the *Procedures for Arizona Single Point of Contact Review Process According to Presidential Executive Order 12372*, and;

Whereas, it is believed that the best method for ensuring that the overall functions of ECO are carried out is to formalize the ECO structure through adoption of a cooperative agreement and approval of appropriate Bylaws to guide the conduct of ECO business, and;

Whereas, the Counties are all dependent on measured and appropriate development of all resources to ensure public welfare and promote economic stability, and;

Whereas, it is in the best interests of the Counties to combine their efforts whenever possible to further the goals of ensuring cultural and social preservation, and enhancing economic stability and growth as relates to the management of resources, and;

Whereas, the Counties have undertaken to make scientific, economic, social and cultural information and other data available for analysis to help guide themselves and other agencies in making the best resource management decisions, and;

Whereas, cooperation on the regional level between all parties involved in such decisions is deemed to be most advantageous.

NOW, THEREFORE, IT IS HEREBY AGREED THAT:

Section 1. The Eastern Arizona Counties Organization (ECO) consisting of membership from Apache, Gila, Graham, Greenlee and Navajo Counties is hereby created. The term of this agreement is for one (1) year to be automatically renewed at one (1) year intervals as specified in Section 7 herein.

Section 2. By execution and acceptance of this agreement, each ECO County hereby adopts the *Procedures for Arizona Single Point of Contact Review Process According to Presidential Executive Order 12372* which is fully incorporated into this document as Exhibit B.

Section 3. In accordance with the provisions of Item 4 on Page 1 of Exhibit B, each ECO County, Board of Supervisors or its designee shall act as County Official Reviewers (COR) for the explicate review of direct federal projects for the U.S. Department of Agriculture and its respective agencies which include the Forest Service, Soil Conservation Service and Farmers Home Administration, U.S. Department of the Interior and its respective agencies which include the Bureau of Land Management, National Park Service and U.S. Fish and Wildlife Service affecting their areas. The County Official Reviewers will attend scoping meetings, receive direct federal notices from the Single Point of Contact (SPOC), and attend the meetings in the early stages for the purpose of review and assuring the consistency of the proposed activity to be in the best interest and development each of their counties.

Section 4. The purpose of ECO is set forth in the Bylaws as incorporated in Exhibit C to this agreement and adopted as part of this agreement and as may be subsequently amended in accordance with the adopted Bylaws.

Section 5. Each ECO County Board of Supervisors shall, in accordance with adopted Bylaws, appoint two representatives to the ECO Board of Directors, one of whom will be a member of that County's Board of Supervisors.

Section 6. The finances and budgetary matters of the ECO shall be addressed in the manner set forth in Article V of the Bylaws with annual budgets established by the Board of Directors and approved annually by each County Board of Supervisors. _____ County will act as fiscal agent for the purposes of this Intergovernmental Agreement. Each member's manner of financing their participation in ECO shall be at the discretion of each County's Board of Supervisors and may include commitment of general funds, grant funds or other available funding.

Section 7. This agreement shall remain in effect for one (1) year from the effective date and will be automatically renewed for successive one (1) year intervals unless terminated by any member County after 30 days written notification to the Chairman provided, however, that the termination by any one County shall not affect the agreements with other Counties.

Section 8. The acquisition of property under the ownership of ECO is not anticipated. However, should this occur, the disposition of such property upon partial or complete termination of this agreement shall be decided by the Board of Directors in an open meeting with the approval of each Board of Supervisors which is participating in the agreement at the time of the termination.

Section 9. It is agreed that all proceedings, meetings, actions and decisions of the Board of Directors will comply with the Arizona Open Meeting Law. No representation of an ECO decision, position or action shall be made without proper notification pursuant to the Arizona Open Meeting Law nor without prior approval of the Board of Directors in compliance with the provisions of the adopted Bylaws.

Section 10. Any contract, memorandum of understanding, or agreement entered into by ECO on behalf of or binding upon any member County must be approved by the affected County's Board of Supervisors in order to be effective.

Section 11. Nothing in this agreement shall in any way abrogate the member Counties' rights, obligations and abilities to conduct mandated and discretionary County functions, or otherwise protect, in any lawful manner deemed appropriate, the best interests of the County.

Section 12. This agreement shall become effective upon filing with the Secretary of State.

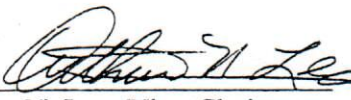
Section 13. Attached hereto as Exhibit D are resolutions of each County Board of Supervisors approving this agreement.

Section 14. All agreements in conflict with this are hereby rescinded.

APPROVED by each County on the date indicated below.


BOARD OF SUPERVISORS

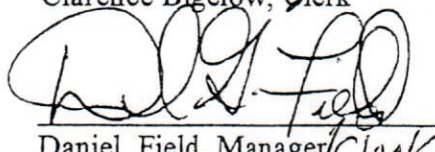
ATTEST:


Arthur N. Lee, Vice-Chairman
Apache County

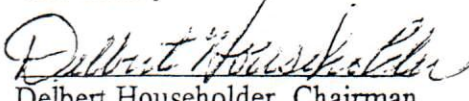

Clarence Bigelow, Clerk

9/21/93
Date


Cruz Salas, Chairman
Gila County

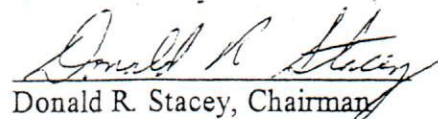

Daniel Field, Manager/Clerk

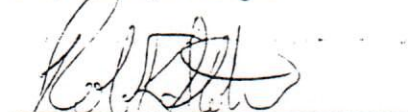
10/15/93
Date


Delbert Householder, Chairman
Graham County

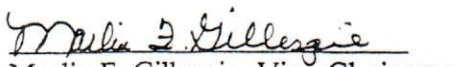

Joe Carter, Manager

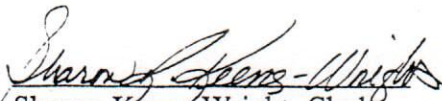
10-13-93
Date


Donald R. Stacey, Chairman
Greenlee County


Rob Stokes, Administrator

10-27-93
Date


Marlin F. Gillespie, Vice-Chairman
Navajo County


Sharon Keene-Wright, Clerk

10-19-93
Date